

**24841. Adulteration of apples. U. S. v. H. Rouw Co. Plea of guilty. Fine, \$50. (F. & D. no. 34004. Sample nos. 10176-B, 10177-B.)**

Examination of the apples involved in this case showed the presence of arsenic and lead in amounts that might have rendered them injurious to health.

On April 29, 1935, the United States attorney for the District of Arkansas, acting upon a report by the Secretary of Agriculture, filed in the district court an information against the H. Rouw Co., a corporation, Fayetteville, Ark., alleging shipment by said company in violation of the Food and Drugs Act on or about October 22 and October 27, 1934, from the State of Arkansas into the State of Texas of quantities of apples which were adulterated.

The article was alleged to be adulterated in that it contained added poisonous and deleterious ingredients, arsenic and lead, in amounts which might have rendered it injurious to health.

On June 17, 1935, a plea of guilty was entered on behalf of the defendant company and the court imposed a fine of \$50.

W. R. GREGG, *Acting Secretary of Agriculture.*

**24842. Adulteration of frozen eggs. U. S. v. Omaha Cold Storage Co. Plea of guilty. Fine, \$25 and costs. (F. & D. no. 34032. Sample nos. 210-B, 218-B.)**

This case was based on an interstate shipment of frozen eggs which were in part decomposed.

On June 22, 1935, the United States attorney for the District of Nebraska, acting upon a report by the Secretary of Agriculture, filed in the district court an information against the Omaha Cold Storage Co., a corporation, Omaha, Nebr., alleging shipment by said company in violation of the Food and Drugs Act on or about May 23, 1934, from the State of Nebraska into the State of Colorado of a quantity of frozen eggs that were adulterated.

The article was alleged to be adulterated in that it consisted in part of a decomposed animal substance.

On July 22, 1935, a plea of guilty was entered on behalf of the defendant company and the court imposed a fine of \$25 and costs.

W. R. GREGG, *Acting Secretary of Agriculture.*

**24843. Adulteration and misbranding of butter. U. S. v. Borden's Produce Co., Inc. (Kirschbraun Division). Plea of guilty. Fine, \$25 and costs. (F. & D. no. 34045. Sample no. 2440-B.)**

This case was based on an interstate shipment of butter which was deficient in milk fat, and a part of which contained fragments of insects, rodent hairs, and nondescript debris.

On June 22, 1935, the United States attorney for the District of Nebraska, acting upon a report by the Secretary of Agriculture, filed in the district court an information against Borden's Produce Co., Inc., (Kirschbraun Division), trading at Omaha, Nebr., alleging shipment by said company in violation of the Foods and Drugs Act on or about August 8, 1934, from the State of Nebraska into the State of Michigan of a quantity of butter which was adulterated and misbranded.

The article was alleged to be adulterated in that a product containing less than 80 percent by weight of milk fat had been substituted for butter, a product which must contain not less than 80 percent by weight of milk fat, as defined by the act of Congress of March 4, 1923, which the article purported to be. Adulteration was alleged with respect to a portion of the article for the further reason that it consisted in whole or in part of a filthy animal substance.

Misbranding was alleged for the reason that the statement "Butter", borne on the case containing the article, was false and misleading, and for the further reason that it was labeled so as to deceive and mislead the purchaser, since the said statement represented that the article was butter, a product which must contain not less than 80 percent by weight of milk fat; whereas it was not butter, since it contained less than 80 percent by weight of milk fat.

On July 16, 1935, a plea of guilty was entered on behalf of the defendant company and the court imposed a fine of \$25 and costs.

W. R. GREGG, *Acting Secretary of Agriculture.*